IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

Bail Appl..No. 6038 of 2007()

CMC.943/2007 of J.M.F.C.-V,KOZHIKODE
CRIME NO.312/2007 OF NADAKKAVU POLICE STATION

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: PETITIONER/ACCUSED:

SHAHIR, AGED 23 YEARS,
S/O. HASSAN, VALLICHILOT HOUSE, P.O. OLAVANNA,
KALLIKKUNNU, KOZHIKODE DISTRICT.

BY ADV. SRI.M.T.BALAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 6038 of 2007

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Dated this the 5th day of October, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 393 I.P.C. The gravamen of the charge against the petitioner is that he at a public place - at the Planetarium at Calicut - when the defacto complainant, a young woman, was coming out of the Planetarium after witnessing a show, attempted to snatch the gold chain worn by her. The petitioner did not succeed. He took to his heels. The defacto complainant made a hue and cry. The people gathered there allegedly chased and apprehended the petitioner. Crime was registered. Investigation was in progress.

2. The learned Prosecutor submits that the investigation is now complete and final report has already been filed on 20.9.07.

3. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He prays that the petitioner may now be granted regular bail.

4. The learned Prosecutor opposes the application. He submits that considering the nature of the allegation and the data collected,

the petitioner does not deserve to be enlarged on bail. The learned Magistrate may be directed to dispose of the case as expeditiously as possible.

5. Call for a report from the learned Magistrate about the stage of the case. The learned Magistrate must specifically report the probable time that is required for the disposal of the case. I need only mention that I expect the learned Magistrate to dispose of the case as expeditiously as possible. Await report of the learned Magistrate.

6. Call on 15.10.2007. The Registry shall ensure that the report is received by then.

(R. BASANT)
Judge

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